

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

GREGORY ARTHUR FISSETTE,

Plaintiff,

v.

JAMES DZURANDA, et al.,

Defendants.

ORDER

18-cv-609-jdp

On August 9, 2018, I entered an order assessing plaintiff Gregory Arthur Fissette an initial partial payment of the filing fee in the amount of \$9.13 due by August 31, 2018. On August 23, 2018, plaintiff filed a letter stating that he is unable to pay the \$3.81 initial partial payment Dkt. 5. Additionally, plaintiff requests that the initial partial payment be stayed until plaintiff can pay the fee and that plaintiff be allowed to proceed with this case. Plaintiff's request will be denied.

Plaintiff has not provided documentation that shows the steps he has taken to request funds to pay the initial partial from the jail's business office. Furthermore, the account statement plaintiff submitted with his complaint indicates that plaintiff has received deposits during the six-month period preceding filing of the complaint. Therefore, I will give plaintiff an extension of time until September 17, 2018 to submit the \$9.13 initial partial payment.

If plaintiff is still unable to submit the \$9.13 initial partial payment by September 17, 2018, plaintiff should provide documentation to the court that shows the steps he has taken to request funds to pay the initial partial payment from the jail's business office. Plaintiff should also provide the court with an up-to-date inmate account statement, so that I may re-assess plaintiff's financial situation.

ORDER

IT IS ORDERED that:

1. Plaintiff Gregory Arthur Fissette's request for the collection of the \$9.13 initial partial payment in this case to be stayed, dkt. 5, is DENIED.

2. Plaintiff may have an extension of time until September 17, 2018, in which to submit a check or money order payable to the clerk of court in the amount of \$9.13.

3. If by September 17, 2018, plaintiff fails to make the initial partial payment or show cause for failure to do so, plaintiff will be held to have withdrawn this action voluntarily and the case will be closed without prejudice to plaintiff filing this case at a later date.

Entered this day 27th of August, 2018.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge